

OCT 05 2005

FAX TRANSMISSION**DATE:** October 5, 2005**PTO IDENTIFIER:** Application Number 10/810,722-Conf. #9357
Patent Number**Inventor:** Charles E. Harrison**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP
Myron Keith Wyche**PHONE:** (202) 331-7111**Attorney Dkt. #:** 22241-00001-US**PAGES (Including Cover Sheet):** 5**CONTENTS:** Response to Restriction Requirement (3 pages)
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Application No. (if known): 10/810,722

Attorney Docket No.: 22241-00001-US

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Response to Restriction Requirement (3 pages)

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Docket No.: 22241.00001-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Charles E. Harrison

Application No.: 10/810,722

Confirmation No.: 9357

Filed: March 29, 2004

Art Unit: 2872

For: BACKING MIRROR

Examiner: Mark A. Robinson

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed September 6, 2005, applicant hereby provisionally elects Group III, Claims 3-7 and 10 for continued examination, with traverse.

The outstanding Office Action has required restriction between:

Group I, Claim 1, drawn to a mirror assembly including mirror, substrate, shaft, holder and support; and

Group II, Claims 2 and 15, drawn to a mirror assembly including specific mirror, substrate, shaft, holder and support;

Group III, Claims 3-7 and 10, drawn to a mirror assembly including mirror, substrate, shaft, holder and specific support;

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Attorney Docket No.: 22241-00001-US

Group IV, Claim 8, drawn to a mirror assembly including mirror, specific substrate, shaft, holder and support;

Group V, Claim 9, drawn to a mirror assembly including mirror, substrate, shaft specific holder and support;

Group VI, Claims 11-14, drawn to a mirror assembly including two mirrors, substrate, shaft, holder and support;

Group VII, Claims 16-24, drawn to a method for using a mirror assembly;

Group VIII, Claim 25, drawn to a mirror assembly including two specific mirrors and a holder; and

Group IX, Claim 26, drawn to a mirror assembly including mirror and specific holder.

Applicants make these elections based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Applicants respectfully traverse the Restriction Requirement for the following reasons.

MPEP Section 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

In particular, the claims of the present invention would appear to be part of the same technology area. Though the Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)), in the present case, the claimed subject matter may be classified in different subclasses of the same class and Applicants respectfully submit the inventions are not independent. That is, Applicants respectfully submit

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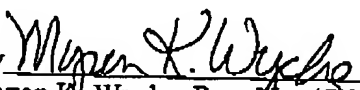
that an examination of one set of claims will require a search in the classes common to the same technology area.

Therefore, Applicants respectfully request that the Restriction Requirement be withdrawn. However, if the present Restriction Requirement is not withdrawn, examination on the merits of Claims 3-7 and 10 is believed in order and an early and favorable action to that effect is respectfully requested.

Applicant believes no fee is due at this time. If a fee is due with this response, please charge Deposit Account No. No. 22-0185, under Order No. 22241-00001-US from which the undersigned is authorized to draw.

Dated: October 5, 2005

Respectfully submitted,

By 
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